

CAL DOOLEY  
PRESIDENT AND CEO



November 18, 2014

U.S. House of Representatives  
Washington, DC 20515

Dear Representative:

The American Chemistry Council (ACC) urges you to vote yes on *H.R. 4795, the Promoting New Manufacturing Act*, when it comes to the floor this week. This legislation will expedite U.S. investment and job creation by improving the regulatory permitting process for factories.

The business of American chemistry is in the midst of an historic expansion made possible by plentiful and affordable natural gas from shale formations. To date, 211 chemical industry projects representing \$135 billion in potential U.S. investment have been announced, 61 percent of it by companies based abroad. The new factories and expansions will create hundreds of thousands of well-paying new jobs, strengthen communities, and put money in the pockets of families.

Unfortunately, all of these projects must undergo a lengthy and complex regulatory permitting process containing challenges that can delay and even derail the investment. Problems include uncertainty about the schedule for obtaining a final pre-construction permit; required use of emission modeling programs that cannot handle site-specific data; and prolonged legal and public input challenges. Once a project is significantly delayed, it is often scrapped, and companies make plans to proceed elsewhere.

Manufacturing facilities must be able to obtain required permits in a timely, transparent, and efficient manner, but in recent years, the U.S. Environmental Protection Agency has tightened a number of National Ambient Air Quality Standards (NAAQS) without fully implementing them.<sup>1</sup> Lacking clear direction from EPA, state permitting agencies and manufacturing facilities have, at times, been left confused about the requirements to complete the preconstruction permitting process.

In his State of the Union Address, President Obama highlighted the important role that domestic natural gas is playing in the U.S. economy and committed his Administration to facilitate the permitting process for manufacturing projects. He said, "Businesses plan to invest almost \$100 billion in new factories that use natural gas. I'll cut red tape to help states get those factories built..."

The "Promoting New Manufacturing Act" will do just that. It will improve the permitting process by:

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<sup>1</sup> Examples include ozone in 2008, nitrogen dioxide and sulfur oxides in 2010, and fine particulate matter in 2012. A proposed tighter ozone NAAQS is expected later this year. EPA is still working to implement these standards, along with some older NAAQS, including the 1997 ozone NAAQS and the 1997 and 2006 particulate matter NAAQS.



- Creating a “dashboard” showing the total number of preconstruction permits issued during the fiscal year, the percentage issued within one year of application, and the average length of the review process;
- Requiring EPA to issue guidance concurrent with any new rules so that manufacturers fully understand how to comply; and
- Directing EPA to prepare an annual report to Congress on actions the Agency has taken to expedite the permitting process.

H.R. 4795 represents common-sense legislation that will expedite shale-related manufacturing in the United States. Given the President’s public expressions of support for a timely and efficient permitting process, we are dismayed by recent indications that he may veto the bill. We encourage you to support the legislation.

Sincerely,

A handwritten signature in black ink that reads "Cal Dooley". The signature is written in a cursive, flowing style. The first name "Cal" is written with a large, looped "C" and a small "al". The last name "Dooley" is written with a large "D" and a long, sweeping "y" that extends downwards and to the right.

Cal Dooley